

Application No. 10/027,370
Reply to Office Action of August 9, 2006

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REMARKS/ARGUMENTS

Claims 1-5, 7-20 and 22-28 are pending in this application. Claims 1-5, 7-20 and 22-28 are rejected. Claims 6 and 21 were previously cancelled.

Rejections Under 35 U.S.C. 102

Claims 1-5, 7-20 and 22-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Klein et al. (U.S. Patent No. 5,726,885).

For claims 1-4, 8, 18, the examiner states that Klein discloses a vehicle renting system. The examiner further states, "[w]ith respect to the limitation of the vehicle monitoring means being 'geo-fencing means', the examiner interprets this to be a recitation to a GPS system. The instant specification discloses the fact that 'geo-fencing means' is a GPS system." (See Office Action, pg. 2, dated 08/09/2006). The applicant respectfully traverses this rejection. Applicant refers the examiner directly to the specification that a GPS system is not a geo-fencing means. "Geo-fencing is an electronic net that incorporates the technology of a GPS and can be used to detect when a vehicle is either entering, exiting, or contained within a designated area." (See Application Specification, pg. 9). In addition, "in FIG. 1, each transit station and work site parking are is enclosed using the vehicle monitoring means for geo-fencing GF, with transit station 1 and work site 1 WS1 employing the use of geo-fencing of various radii (zones 1-3) to enclose each parking area." (See Application Specification, pg. 9). Therefore, applicant respectfully submits that the geo-fencing means is not simply a GPS system, but incorporates the technology and may work in conjunction with it to provide an electronic net to enclose a parking area of various radii.

Futhermore, in support of Applicant's definition of "geo-fencing," the Applicant refers to the "Word Spy" document cited by the examiner. (See Word Spy document attached to the Office Action, dated 08/09/2006). The document defines a geo-fence as "[a] virtual boundary on a geographic region." The definition cited supports Applicant's argument that a GPS system, by itself, cannot create a virtual boundary on a geographic region, and likewise, does not "detect vehicles contained within, entering, or exiting the designated area," as claimed by applicant. In addition, the "Example Citations" in the document referenced by the examiner further support Applicant's assertion that a geo-fencing means is not a GPS system. The Word Spy document states, in the first exemplary citation, that "the 'geofence' feature allows administrators to demarcate bus routes by alerting administrators when a route's path has been violated." (See

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Word Spy document, pp.1-2, attached to the Office Action, dated 08/09/2006). The feature as described in the citation cannot be solely a GPS system, but would require additional hardware and/or software components to "demarcate bus routes" and for "alerting administrators." The second exemplary citation describes that "geofences software" can be used in a cell phone: "By bringing it inside, the phone crossed a computer-generated 'fence' drawn around the bar by the boss. A tracking chip in the phone triggered an e-mail that was sent back to the office ...". (See Word Spy document, p.2, attached to the Office Action, dated 08/09/2006). Applicant's submit that both examples supports Applicant's argument that a "geo-fencing means" should not be interpreted to be simply a recitation to a GPS system.

With respect to the Klein reference, Klein only teaches that each vehicle is equipped with a "GPS receiver" as a "satellite locating device." (see *Klein*, col. 6, ll. 1-4). This is the only reference to GPS in Klein, and there is not a single reference to "geo-fencing." Further, Klein does not teach the system claimed by Applicant, namely a vehicle monitoring means to monitor the use of a vehicle, the vehicle monitoring means comprising geo-fencing means surrounding the designated area, whereby vehicles contained within, entering, or exiting the designated area can be tracked and accounted for.

For at least these reasons, claims 1-4, 8, 18 are allowable over Klein. Claims 5 and 14 depend from claim 1 and are allowable for at least the same reasons. Claims 7 and 20 depend from claims 1 and 18, respectively, and are allowable for at least the same reasons. Claims 9-13, 19 also depend from claims 1 and 18 and are allowable for at least the same reasons. Claims 15-17 depend from claim 1 and are allowable for at least the same reasons.

For claims 22-28, the examiner states that "Kline discloses the providing of a designated area for a user to obtain a vehicle from. The providing 'geo-fencing means' is satisfied by the GPS system that Klein uses to track and monitor the vehicles with. Geo-fencing is and requires a GPS unit." (See Office Action, pg. 3, dated 08/09/2006). Applicant traverses the rejection, and respectfully resubmits the arguments above regarding geo-fencing. For at least these reasons, claims 22-28 are allowable over Klein.

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CONCLUSION


Applicant believes that the objections and rejections have been addressed. Applicant respectfully submits that the claims are now in condition for allowance.

The Examiner is invited to contact the undersigned at (650) 812 - 1371 to discuss any matter concerning this application. The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 50-1847.

Respectfully submitted,

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Customer No. 33614



Edward S. Quon
Registration No. 52,144
MANATT, PHELPS & PHILLIPS LLP
1001 Page Mill Road, Building 2
Palo Alto, California 94304
(650) 812-1371 Telephone
(650) 213-0280 Facsimile